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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,938

01/16/2004

Anthony Edward Martinez

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8204

7590

07/01/2005

Gregory W. Carr  
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EXAMINER

PHAM, LAM P

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. **10/759,938**

Applicant(s)

MARTINEZ, ANTHONY EDWARD

Examiner

Lam P. Pham

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-4, 11-12 is/are rejected.
- 7) ☒ Claim(s) 5-10 and 13-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 11-12 rejected under 35 U.S.C. 103(a) as being unpatentable over Miles (GB 2094965A).

**Regards claim 1**, Miles disclose an apparatus for providing feedback, comprising:

at least one illumination device (vehicle lights);

at least one optical wave guide (2), wherein a first end of the optical wave guide configured be coupled to the illumination device to receive light; and

a display (1), wherein the display further comprises:

being coupled to a second end of the optical waveguide;

being configured to receive light from the optical waveguide; and

being configured report the status of the at least one illumination device based on the light received from the at least one optical waveguide as seen in Figures I-VI;

page 1, lines 4-129; page 2, lines 1-50.

However, Miles fails to specifically disclose the optical waveguide is an optical fiber. Pellegrino in bi-color light source for indicating status of information system teaches that the light pipe or optical waveguide comprises optical fiber,

Art Unit: 2636

hollow reflective tube, clear plastic rod as well known in the art as seen in col. 5, lines 40-48.

In view of Pellegrino teaching, it would have been obvious to one of ordinary skilled in the art to utilize optical fiber as optical waveguide in the device of Miles in order to provide a light path from a light source to an indicator for reporting the status of the light source to a user.

**Regards claim 2**, Miles disclose the illumination device further comprises a vehicle lamp or indicator as seen in page 1, lines 6-10.

**Regards claim 3**, Miles fails to disclose the illumination device further comprises a physical facility light. However, one of ordinary skilled in the art would find that the illumination device comprising a vehicle light or lamp is a particular application, it would have been obvious to one of ordinary skilled in the art to realize that the illumination device could be any light source including facility light, parking light, and others as desired.

**Regards claim 4**, Miles discloses the display is being configured to directly output the light from the at least one optical waveguide to a user as seen on page 2, lines 1-50.

**Regards claim 10**, Miles disclose a method for determining the status of an illumination device, comprising:

receiving light from the illumination device by an optical waveguide; and

transmitting the light to a display, wherein the display displays the status of the illumination device based on the light as seen on page 1, lines 65-129 and page 2, lines 1-50.

However, Miles fails to specifically disclose the optical waveguide is an optical fiber. Pellegrino in bi-color light source for indicating status of information system teaches that the light pipe or optical waveguide comprises optical fiber, hollow reflective tube, clear plastic rod as well known in the art as seen in col. 5, lines 40-48.

In view of Pellegrino teaching, it would have been obvious to one of ordinary skilled in the art to utilize optical fiber as optical waveguide in the device of Miles in order to provide a light path from a light source to an indicator for reporting the status of the light source to a user.

**Regards claim 11**, Miles disclose further comprises the display being at least configured to directly output the light from the at least one optical waveguide to a User as seen on page 2, lines 1-5.

***Allowable Subject Matter***

3. Claims 5-10, 13-18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dittmar (US 5515028) disclose a vehicular lamp status display system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P. Pham whose telephone number is 571-272-2977. The examiner can normally be reached on 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 or 571-273-8300 after July 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lam Pham  
June 20, 2005



JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600